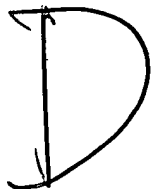


Remarks

Applicant has thoroughly reviewed the Examiner's Action mailed March 7, 1995. Applicant wishes to thank the Examiner for noting the allowable subject matter in this application. Applicant also wishes to thank the Examiner for the courtesy extended in interviewing this application on April 14, 1995. During the interview new claims 37 through 62 were discussed. The new claims (37-63) recite a block and structures made therefrom having sides, a top surface and a bottom surface wherein each of the sides has an inset which extends from the bottom to the top surface, and further including a protrusion on the top or bottom surface. As such, these claims constitute patentable subject matter as with those claims earlier filed. Support for these claims may be found in the claims and drawing as originally filed. Support for new Figures 3A and 6A may be found in the original drawing, original claim 6 and specification as filed.

The Examiner has apparently provisionally rejected claims 1-7, 9-16, and 25-36 under the judicially created doctrine of obviousness-type double patenting based on the claims of copending application Serial No. 08/056,986. Applicant traverses this rejection to the extent that it is maintained.

The Examiner has also objected to the specification and rejected claim 6 under 35 USC §112, first paragraph. Applicant traverses this objection and rejection to the extent that it is maintained.



Favorable reconsideration of all claims rejected in this application is respectfully requested.

#### Discussion of the Rejections

Applicant has traversed the Examiner's provisional obviousness-type double patenting rejection of claims 1-7, 9-16 and 25-36 over claims 1-15 and 22-34 of copending application Serial No. 08/056,986. Favorable reconsideration is respectfully requested.

The claimed invention comprises a block having legs which extend outward from the sides of the block. As recited, the legs of the block may be configured in any variety of angles and relationships to the side walls of the block itself. These legs may be used to provide openings which allow for the block to be filled with products such as stone, gravel, rock and the like wherein the similar blocks are placed adjacent each other in the same course.

In sharp contrast, the blocks of Serial No. 08/056,986 have legs which are angled towards the front of the block. This limitation is specifically recited in the claims. Further, as can be seen in the specification of the '986 application, any force attempting to move the claimed block forward, will have to also confront the resistance created by the forward angled back legs moved into adjacently positioned fill or, if the base course, the ground beneath the wall. The use of angled back legs also facilitates manufacture of the blocks of the invention.

Conclusion

Favorable reconsideration is respectfully requested.

The Examiner is invited to contact Applicant's Representatives, at the below-listed telephone number, if it is believed that prosecution of this application may be assisted thereby.

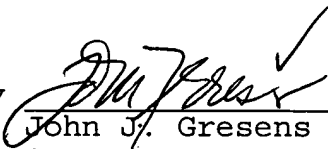
Respectfully submitted,

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By

  
\_\_\_\_\_  
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Specifically, the angled back legs of the invention allow the conveying of the blocks once they have been compressed and formed and they are being transported to the curing facility. The proximity of various blocks on the conveyor may lead to physical contact between blocks. If this contact occurs at a high speed, the blocks may be physically damaged. Also, the use of a conveyor which turns on curves in the course of transporting the blocks may naturally lead to contact between blocks and damage. (U.S. Patent Application Serial No. 08/056,986 at page 16, lines 1-25.)

Accordingly, the claimed invention is not obvious or otherwise unpatentable based upon U.S. Patent Application Serial No. 08/056,986. Favorable reconsideration is respectfully requested.

With regard to the objection to the specification and the rejection of claim 6 under 35 USC §112, first paragraph, Applicant has traversed this rejection. Applicant has amended the specification to include recitation of the limitation to a block having two protrusions on the block top side. Support for this amendment to the specification as well as the limitation provided in claim 6 as presently pending is found in claim 6 as initially filed.

Applicant requests favorable reconsideration of claim 6  
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as pending herein.